

LAW OFFICES

GOLDSTEIN & WEINSTEIN

888 GRAND CONCOURSE

THE BRONX, NEW YORK 10451

(718) 665-9000

FAX: (718) 665-9147

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DAVID J. GOLDSTEIN

BARRY A. WEINSTEIN

September 11, 2007

TRANSMITTED BY FACSIMILE

Honorable Laura T. Swain
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not fax such certification to Chambers.

Re: United States v. Rolando Mercedes
Dkt. No.: 07 Cr 528 (LTS)

Dear Judge Swain:

I write this letter to request a short adjournment of the Conference scheduled for Friday, September 14, 2007 at 4:30 p.m.. The reason for the request is that due to the Jewish holiday, Rosh Hashanah, I will be out of the office. We request that the time from September 14, 2007 through the rescheduled date, be excluded under the Speedy Trial Act.

I have spoken with Assistant United States Attorney, Eugene Ingoglia, and he consents to this request.

Thank you for your consideration herein.

Respectfully submitted,

DAVID J. GOLDSTEIN

THE REQUESTED ADJOURNMENT AND EXCLUSION ARE GRANTED. THE CONFERENCE IS ADJOURNED TO SEPTEMBER 18, 2007, AT 2:30 P.M. THE COURT FINDS THAT THE ENDS OF JUSTICE SERVED BY THE GRANTING OF AN EXCLUSION FROM SPEEDY TRIAL COMPUTATIONS FOR THE PERIOD FROM TODAY'S DATE THROUGH SEPTEMBER 18, 2007, OUTWEIGH THE BEST INTERESTS OF THE PUBLIC AND THE DEFENDANT IN A SPEEDY TRIAL BECAUSE OF THE NEED FOR CONTINUITY OF DEFENSE COUNSEL. THE COURT, ACCORDINGLY, EXCLUDES SUCH TIME PERIOD PROSPECTIVELY. SO ORDERED.

LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE